


Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the Commissioner's request to remand this action for further proceedings and with the Plaintiff's consent, this Court hereby:

- (1) REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g), with a remand of the cause to the Commissioner for further proceedings. See Melkonyan v. Sullivan, 501 U.S. 89 (1991);
- (2) The Clerk will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure;
- (3) Defendants' Unopposed Motion to Remand (Doc. No. 11) is GRANTED;
- (4) Plaintiff's Motion for Summary Judgment (Doc. No. 9) is DENIED as moot.

As there remains no justiciable dispute pending between the parties, upon the Clerk's entry of judgment, the Court's jurisdiction over this case shall terminate except for the purposes of consideration and determination of motions for attorney's fees, including any motion for such fees under the Equal Access to Justice Act ("EAJA").

SO ORDERED.

Signed: November 18, 2013


Frank D. Whitney
Chief United States District Judge

